

TEMPORARY

No. 68911-T

TEMPORARY

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 20 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 24 1996 under 62317

The applicant **Jackling Aggregates, LLC**, hereby makes application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit No. 65457**

1. The source of water is **Underground**
2. The amount of water to be changed **0.027 cfs – 8.08 acre feet per annum**
3. The water to be used for **Mining, Milling and Domestic Purposes**
4. The water heretofore permitted for **Mining, Milling and Domestic Purposes**
5. The water is to be diverted at the following point **w/in SE¼ NW¼ Section 10 T20N, R20E, MDM or at a point from which the NW corner of said Section 10 bears N 24 degrees 29 minutes 13 seconds W, a distance of 2,952.49 feet. Refer to map filed under Permit No. 62317**
6. The existing permitted point of diversion is located within **NE¼ SE¼ Section 9 T20N, R20E, MDM or at a point from which the S¼ corner of Section 4 T20N, R20E, MDM bears N 30 degrees 33 minutes 44 seconds W, a distance of 3,078.59 feet. Refer to map filed under Permit No. 65457**
7. Proposed place of use **Same as Existing Place of Use**
8. Existing place of use **N½ and SE¼ Section 9 T20N, R20E, MDM Refer to map filed under Permit No. 65457**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing well, motor, pump, pipeline and stand pipe**
12. Estimated cost of works **None- Existing Works**
13. Estimated time required to construct works **None – Existing Works**
14. Estimated time required to complete the application of water to beneficial use **Temporary Appl. To Change**
15. Remarks: **This is a temporary application to change request.**

By **s/Michael D. Buschelman**
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared cmf/sam dr/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the POD of Permit 65457 (which changed the POD, POU, & MOU of a portion of Permit 64768, which changed the POD, POU, & MOU of a portion of Permit 53922, which changed the POD of water appropriated under claim of vested right as evidenced by Proof of Appropriation of Water 04883) is issued with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to any determination of the waters of an underground source that may be made under adjudication proceedings under NRS 533.090 through 533.320.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **October 22, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.027 cubic feet per second, but not to exceed 8.08 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

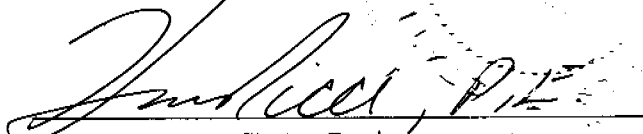
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IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 23rd day of October, A.D. 2002


State Engineer

EXPIRED

DATE OCT 15 2003

EXPIRED

DATE 10-15-03